REMARKS

The present application stands with an objection to the drawings in that Figures 15(a)-15(d) and 21 are not designated with a "Prior Art" legend. Proposed changes to these Figures are enclosed for the Examiner's approval. Upon such approval, these changes will be incorporated into formal drawings.

Claims 1-14 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter to which applicants regard are their invention. The claims have been amended above to remove the Examiner's objections.

Claim 1-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by the cited Klein et al. (Klein) reference. Applicants respectfully do not agree that Klein teaches a burst having a first data portion before a training sequence, which is data of a first user, and a second portion after the training sequence, which is data of a second user. Klein (on page 37, bottom left column) discloses "A basic physical channel is <u>one time slot</u> in the case of FMA1 without spreading and <u>one time slot and one spreading code</u> in the case of FMA1 with spreading. In FMA1, user bit rates from a few kb/s up to 2 Mbps are achieved by allocating different numbers of physical channels to a user" (emphasis added). The important point here is that a channel corresponds to a single user. So multiple users in the same time slot require multiple channels differentiated by the use of different spreading codes.

Figure 1 in Klein indicates possible burst structures each with a training sequence in the middle. In each case, a single burst is shown that is allocated to a single user. In Figure 1, the bottom two figures labeled "1/8 Spread speech/data burst 1" and "1/8 spread speech/data burst 2" indicate clearly that the same spreading code is used over the entire burst – therefore, there is <u>only one user per burst</u>.

Klein on page 38, left hand column, 1st paragraph, discloses: "The physical content of the timeslots are bursts of corresponding length. Within each timeslot of length 72 micro seconds and 288 micro seconds, <u>one</u> burst of corresponding length can be transmitted. Within each time slot of length 577

micro seconds up to eight bursts of corresponding length, separated by different spreading codes, can be transmitted. <u>These multiple bursts within the same time slot</u> can be allocated to different users or partly or all to one and the same user" (emphasis added). Importantly, this passage must be read in the context of Klein, page 37, left column bottom and Figure 1. Read in this context, it is apparent that page 38, left hand column, 1st paragraph, refers to the number of bursts sent in parallel within a time slot, and indeed it says merely that more than one burst (note, not half a burst) each with a different spreading code, can be allocated to a single user in the same time slot.

Claim 1 relates to transmitting data of two users within the same burst. This is very different from Klein's disclosure, which teaches sending multiple code-separated bursts in parallel (i.e., simultaneously) within a time slots. Accordingly, claim 1, as amended is patentably distinguishable and unobvious over the cited Klein reference.

For the reasons above, each of the claims presently in the application is believed to be allowable and passage to issue of the subject application is respectfully requested. If the Examiner should believe that the application is not yet in a condition for allowance, and that an interview would be helpful, he is invited to contact applicants' undersigned attorney at **973-386-8252**.
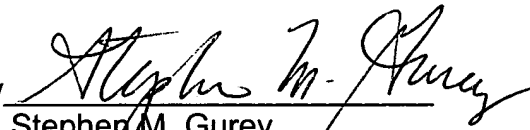
Respectfully submitted,

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Date: _Oct. 9, 2003_

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